

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BAUR *et al.*

Appl. No.: 10/591,129

Filed: July 16, 2007

For: **Oil-Based Suspension Concentrates**

Confirmation No.: 7330

Art Unit: 1616

Examiner: ARNOLD, Ernst V.

Atty. Docket: 2400.0730000/JMC/CMB/KHR

**Second Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(d)**

Mail Stop AF

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying the PTO/SB/08a IDS Form is **US40** that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98. The numbering in this second supplemental Information Disclosure Statement is based on the numbering in Applicants' first supplemental Information Disclosure Statement filed on August 26, 2010, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed the publication date on the attached IDS Form based on information presently available to the undersigned. However, the listed publication date should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This IDS is being filed under 37 C.F.R. § 1.97(d) because it is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. The required fee is provided through online credit card payment authorization in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Form, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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